

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

Angela Nails,

Plaintiff,

v.

Case No. 18-mc-50991

James Eric Macon,

Defendant.

Sean F. Cox
United States District Court Judge

ORDER SUMMARILY DISMISSING ACTION WITH PREJUDICE

Acting *pro se*, on June 27, 2018, Plaintiff Angela Nails (“Nails”) initiated this miscellaneous civil action, in which she purports to bring criminal charges against James Eric Macon on behalf of the United States.

On April 13, 2018, the Honorable Mark A. Goldsmith dismissed another case filed by Nails, and further ordered that Nails is enjoined from filing further actions in this district unless she obtains leave to do so from a judge in this district. (*See* Docket Entry No. 9 in Civil Action No. 17-12947).

Nails did not seek or obtain leave of court prior to filing this action. That alone justifies the Court’s dismissal of this action.

In addition, “a district court may, at any time, *sua sponte* dismiss a complaint for lack of subject matter jurisdiction pursuant to Rule 12(b)(1) of the Federal Rules of Civil Procedure when the allegations of a complaint are totally implausible, attenuated, unsubstantial, frivolous, devoid of merit, or no longer open to discussion.” *Apple v. Glenn*, 183 F.3d 4777, 479 (6th Cir. 1999).

Here, Nails is purporting to bring criminal charges against an individual on behalf of the United States. A private citizen such as Nails “cannot prosecute a criminal action in federal court.” *Chambliss v. Railroad Retirement Bd.*, 2018 WL 2947973 (S.D. NY 2018) (citations omitted); *see also Brooks v. Carlson*, 2017 WL 1091259 (E.D. Mich. 2017) (“A private individual such as Plaintiff cannot prosecute a criminal action, nor sue in federal court to compel the state or the federal government to investigate or prosecute an alleged crime.”). This Court thus lacks jurisdiction over an action purporting to bring criminal charges and **ORDERS** that this action is **DISMISSED WITH PREJUDICE**.

IT IS SO ORDERED.

Dated: July 2, 2018

s/Sean F. Cox

Sean F. Cox
U. S. District Judge

I hereby certify that on July 2, 2018, the foregoing document was served on counsel of record via electronic means and upon Angela Mails via First Class mail at the address below:

Angela Nails
P.O Box 204
Trenton, MI 48183

s/J. McCoy

Case Manager